

**COMMONWEALTH OF VIRGINIA
VIRGINIA EMPLOYMENT COMMISSION**

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Effective Date:	March 27, 2003
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Title:	Work First Principle under the Workforce Investment Act

PURPOSE

The Workforce Investment Act (WIA) mandates a tiered, seamless approach to service delivery. This arrangement requires a participant to have received at least one core service and been unable to receive or retain a job that leads to self-sufficiency before he or she can receive intensive services. Additionally, a participant must have received at least one intensive service and been unable to secure or retain employment that leads to self-sufficiency before he or she can receive training services. This tiered model sets the tone for the “work first” approach. The purpose of this policy is to clarify Virginia’s application of the “work first” principle regarding customer flow and service delivery.

REFERENCES

Code of Virginia, Section 9-329.1(F).

Workforce Investment Act; Interim Final Rule, 20 CFR Parts 662, 663 and the Preamble.

P.L. 105-220, Workforce Investment Act (WIA), Sections 101 and 134. Federal Register, April 15, 1999 (Volume 64, No. 72), U. S. Department of Labor.

Training and Employment Guidance Letter No. 7-99, March 3, 2000 - Core and Customer Satisfaction Performance Measures for the Workforce Investment System.

POLICY STATEMENT

WIA describes a one-stop delivery system for a continuum of workforce development services for adults and dislocated workers that supports gainful employment. In Virginia, the concept of “work first” may not be interpreted to mean that WIA participants should be placed in the first job for which the individual is qualified. The goal of workforce investment activities in Virginia is to encourage long-term employment that enables an individual to obtain and maintain self-sufficiency. Therefore, prior to placing individuals in employment, local case managers must assess the realistic educational, training and supportive service needs an individual may have that can create barriers to retaining employment.

WIA provides the framework for an individual to receive a range of services necessary to acquire employment that leads to self-sufficiency. WIA requires a determination that employed adults and dislocated workers need intensive or training services to obtain or retain employment that allows for self-sufficiency as a condition for providing those services. Recognizing that there are different local conditions that should be considered in this determination, the regulations provide maximum flexibility, requiring only that self-sufficiency mean employment that pays at least the lower living standard income level.

LWIBs are empowered to set the criteria for determining whether or not employment leads to self-sufficiency. Such factors as family size and local economic conditions must be included in the criteria. It may often occur that dislocated workers require a wage higher than the lower living standard income level to maintain self-sufficiency. Therefore, the legislation allows self-sufficiency for a dislocated worker to be defined in relation to a percentage of the lay-off wage.

This tiered service delivery approach should not require participants to be placed in jobs that do not provide the opportunity for attaining self-sufficiency or prohibit individuals from receiving additional WIA services. Neither the WIA nor the federal regulations mandate a “work first” system that forces individuals into secondary labor market jobs that have little potential to foster self-sufficiency. However, the program model will be sufficiently flexible to accommodate the “work requirements” that some TANF recipients face as a condition of their receipt of cash assistance.

RESCISSIONS: This policy replaces a portion of 00-06, “Universal Access, Adult Eligibility and Priority of Services.”

APPROVED:

Michael A. Daniels, Chairman
Virginia Workforce VWC

Dolores Esser, Commissioner
Virginia Employment Commission

DATE: March 27, 2003